

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

* * * * *

UNITED STATES OF AMERICA *
*
v. * CRIMINAL ACTION
* No. 21-10104-PBS
*
VLADISLAV KLYUSHIN, *
a/k/a VLADISLAV KLIUSHIN *
*
* * * * *

BEFORE THE HONORABLE MARIANNE B. BOWLER
UNITED STATES MAGISTRATE JUDGE
INITIAL APPEARANCE
December 20, 2021

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE, (By AUSA Seth B.
Kosto) 1 Courthouse Way, Suite 9200, Boston,
Massachusetts, 02210, on behalf of the United States of
America

LAW OFFICE OF MAKSIM NEMTSEV, (By Maksim Nemtsev,
Esq.) 20 Park Plaza, Suite 1000, Boston, Massachusetts,
02116, on behalf of the Defendant

ALSO PRESENT: Tricia Marcy, United States Probation

Courtroom No. 25
(Via videoconference)
1 Courthouse Way
Boston, Massachusetts 02210

James P. Gibbons, RPR, RMR
Official Court Reporter
1 Courthouse Way, Suite 7205
Boston, Massachusetts 02210
jamesgibbonsrpr@gmail.com

P R O C E E D I N G S

(VIA VIDEOCONFERENCE)

THE CLERK: United States District Court is now session. The Honorable Marianne B. Bowler presiding.

Today's date is December 20, 2021, in the case of the United States versus Klyushin, and I apologize, Criminal Action No. 21-10104-PBS.

The parties are reminded that any photography, recording, or rebroadcasting of court proceedings may result in sanctions as deemed appropriate or necessary by the court.

Will counsel please identify yourself for the record starting with the government.

MR. KOSTO: Good morning, your Honor. Assistant United States Attorney Seth Kosto, K-O-S-T-O, appearing on behalf of the United States.

THE COURT: Thank you.

MR. NEMTSEV: Good morning, your Honor. Maksim Nemtsev appearing on behalf of Vladislav Klyushin.

THE COURT: Thank you very much.

Would you please swear the interpreter.

THE CLERK: Please raise your right hand.

INTERPRETER ALEXANDER TETRADZE, sworn

THE CLERK: Just for the record, could you please state your name.

1 (Interpreter muted.)

2 THE CLERK: Except I can't hear you.

3 THE COURT: He should be able to speak to us
4 because he is going to have to tell us the answers in
5 English.

6 MR. NEMTSEV: I think he has the tool bar --

7 THE INTERPRETER: Can you hear me now?

8 THE COURT: Yes, fine.

9 THE INTERPRETER: I'm sorry about that. I
10 apologize, your Honor.

11 My name is Alexander Tetradze, Russian interpreter.

12 THE COURT: Thank you very much.

13 And what is the proper pronunciation of the defendant's
14 name?

15 THE INTERPRETER: Vladislav, and the last name is
16 Klyushin.

17 THE COURT: Good morning, Mr. Klyushin.

18 THE INTERPRETER: The interpreter didn't hear what
19 Mr. Klyushin said.

20 Your Honor, the interpreter would like to apologize,
21 but the interpreter has hard time hearing the defendant.

22 THE COURT: All right. I would ask the defendant
23 to state his name just so that we can test it.

24 THE DEFENDANT (Through interpreter): (Defendant
25 responds.)

1 THE COURT: Can you hear him now?

2 THE INTERPRETER: I can hear, but not very well.
3 There is --

4 MR. KOSTO: Same with the government, your Honor.

5 THE INTERPRETER: I can hear Mr. Klyushin, but I
6 think he's too far away from the microphone, or there's --

7 THE COURT: All right. That might be. If you can
8 tell him, please, to get closer, and then if not we will
9 call a corrections officer to see if we can get some help.

10 (Whereupon, the interpreter and defendant converse.)

11 THE DEFENDANT (Through interpreter): Okay. I have
12 moved towards the microphone, and he can hear me better?

13 THE INTERPRETER: Yes, I can.

14 THE COURT: All right.

15 Good morning, Mr. Klyushin. I'm Magistrate Judge
16 Bowler. Can you hear me and can you see me?

17 THE DEFENDANT (Through interpreter): Good morning,
18 your Honor. Yes, I can hear, and I can see you very well.

19 THE COURT: This is your initial appearance in
20 federal court, and you are appearing today via video link.

21 Let me begin by describing the arrangements that have
22 been set up for this hearing.

23 Your lawyer, the prosecutor, the courtroom deputy, the
24 court reporter, the probation officer, the interpreter, and
25 the Court are all in different locations today.

1 If you have any trouble with the video or audio
2 connection, that is, if you cannot see or hear what's
3 happening, please speak up immediately.

4 Is that clear? Do you understand?

5 THE DEFENDANT (Through interpreter): Yes.

6 THE COURT: We'll stop the proceeding immediately
7 and correct the technical problem. And if you want anything
8 repeated, just let me know, and I will arrange for it.

9 Do you understand?

10 THE DEFENDANT (Through interpreter): Yes.

11 THE COURT: If you need to speak with your attorney
12 at any time during this proceeding, just speak up or waive
13 your hand and let me know, and I will arrange for the two of
14 you to speak privately. Do you understand?

15 THE DEFENDANT (Through interpreter): Yes.

16 THE COURT: I also want you to know that the court
17 reporter is making a record of this proceeding, and if we
18 need a transcript, it can be prepared.

19 I want to explain something to you about why you are
20 appearing via video link today for this hearing. You have
21 the right to be physically present in open court for this
22 hearing, but you can waive that right.

23 Before I ask you whether or not you intend to waive
24 your right to be physically present, you should know the
25 following: Our normal procedure, until 20 months ago, was

1 to have all defendants physically present in the courtroom
2 for this type of hearing. Today is December 20, 2021, and,
3 as I am sure you are aware, we are still in the midst of a
4 pandemic caused by the coronavirus.

5 In the federal court we are attempting as best we can
6 to protect the health and safety of everyone.

7 If you were brought to the courthouse today, you might
8 be transported in close quarters with other people, possibly
9 exposing you to the virus. So we're trying to protect
10 everyone from getting sick and passing the virus to other
11 people while, at the same time, we are trying to move
12 forward and conduct proceedings like this in the safest
13 possible manner for everyone involved.

14 To minimize the health risk, among other things, we're
15 giving defendants the option of appearing via video link.
16 At this point it is voluntary. You do not have to appear by
17 video.

18 So I'm going to go through some questions with you to
19 make sure that you understand your right to appear in person
20 and to make sure that you understand you can waive that
21 right.

22 Do you understand everything I have said up to this
23 point?

24 THE DEFENDANT (Through interpreter): Yes.

25 THE COURT: Do you understand that you have the

1 right to be physically present in open court for this
2 hearing?

3 THE DEFENDANT (Through interpreter): Yes.

4 THE COURT: Have you discussed the fact that you're
5 appearing at this hearing via video link with your attorney?

6 THE DEFENDANT (Through interpreter): Yes.

7 THE COURT: Do you understand that you have a right
8 to consult privately with your attorney at any time during
9 this hearing? All you have to do is speak up or waive your
10 hand and let me know, and I will arrange for the two of you
11 to speak privately. Do you understand?

12 THE DEFENDANT (Through interpreter): Yes, I do
13 understand.

14 THE COURT: Do you understand that the courtroom is
15 not closed. It is still public. So even though you are
16 appearing by video, your family members and other supporters
17 have the right to attend this hearing electronically. Do
18 you understand?

19 THE DEFENDANT (Through interpreter): Yes.

20 THE COURT: And do you agree to waive your right to
21 appear in person and instead agree to appear by video today?

22 THE DEFENDANT (Through interpreter): Yes, I do
23 agree.

24 THE COURT: Have you discussed the waiver with your
25 client, and is there any reason why I should not accept it,

1 Mr. Nemtsev?

2 MR. NEMTSEV: Yes, your Honor, we've discussed the
3 waiver, and Mr. Klyushin has agreed to waive his right to be
4 at the courthouse in person.

5 THE COURT: Thank you.

6 I find that the defendant has knowingly and
7 voluntarily waived his right to appear at this hearing in
8 person.

9 I find that requiring the defendant to be present would
10 jeopardize the public health and safety of those who would
11 be present with the defendant during the court proceedings
12 and during his transportation to and from the courthouse.

13 I further find that additional delay would jeopardize
14 the interests of justice because it is necessary to conduct
15 this hearing promptly to protect the constitutional and
16 legal rights of the defendant.

17 At this time I accept the waiver, and we will now
18 proceed with the defendant's initial appearance.

19 We are here, Mr. Klyushin, because you have been
20 charged in a federal criminal indictment.

21 At this hearing I will advise you of your
22 constitutional and legal rights. I will tell you about the
23 charges against you and the penalties that this court could
24 impose if you are found guilty.

25 You have been charged in an indictment with the

1 following charges: In Count One with: Conspiracy to Obtain
2 Unauthorized Access to Computers, and to Commit Wire Fraud
3 and Securities Fraud, in violation of 18, United States
4 Code, Section 371.

5 In Count Two with: Wire Fraud and Aiding and Abetting,
6 in violation of 18, United States Code, Section 1343 and
7 Section 2.

8 In Count Three with: Unauthorized Access to Computers
9 and Aiding and Abetting, in violation of 18, United States
10 Code, Section 1030(a)(4) and 2; and [sic] 15, United States
11 Code, Section 78j(b), and 78(ff)(a).

12 In Count Four with: Securities Fraud and Aiding and
13 Abetting in violation of 17 C.F.R. Section 240.10b-5 and 18,
14 United States Code, Section 2.

15 You are also subject to the forfeiture allegations in
16 18, United States Code, Sections 981(a)(1)(C) and 28, United
17 States Code, Section 2461(c).

18 And to the Computer Intrusion Forfeiture Allegations of
19 18, United States Code, Sections 982(a)(2)(B) and 1030(i).

20 Mr. Kosto, what are the maximum penalties?

21 MR. KOSTO: Thank you, your Honor.

22 On Count One, the conspiracy charge to obtain
23 unauthorized access to computer networks to commit wire
24 fraud and securities fraud, in violation of 18 U.S.C.
25 Section 371, the maximum penalty upon conviction of that

1 count is five years' imprisonment, a \$250,000 fine, or twice
2 the gross gain or loss to any individual, a \$100 special
3 assessment, the potential for three year's supervised
4 release, as well as forfeiture and restitution to the extent
5 charged in the indictment.

6 Count Two is the wire fraud count, in violation of 18
7 U.S.C. Section 1343 and 2. A conviction of that count would
8 carry a maximum term of imprisonment of 20 years in jail, a
9 \$250,000 fine, or twice the gross gain or loss to any
10 person, and again a \$100 special assessment, the potential
11 for three years of supervised release, restitution, and
12 forfeiture to the extent charged in the indictment.

13 Count Three, the charge of unauthorized access to
14 computer networks with intent to defraud, in violation of
15 Section 18 U.S.C. Section 1030(a)(4) and 18 U.S.C. 2, upon
16 conviction carries a maximum term of imprisonment of five
17 years in jail, a \$250,000 fine, or twice the gross gain or
18 loss to any person, and again up to three years of
19 supervised release, a \$100 special assessment, restitution
20 and forfeiture to the extent charged in the indictment.

21 Finally, the securities fraud and aiding and abetting
22 charge in Count Four, in violation of 15 U.S.C. Sections
23 78(b) and 78ff(a), carries upon conviction a possible term
24 of imprisonment of up to 20 years, a \$5 million fine, a \$100
25 special assessment, up to three years' supervised release,

1 restitution, and forfeiture to the extent provided for in
2 the indictment.

3 Thank you, your Honor.

4 THE COURT: You're welcome.

5 I will tell you about your right to counsel, and I will
6 consider conditions of release pending further court
7 proceedings; that is, whether or not you should be detained
8 or what amount of bail should be set.

9 This is not a trial, and you will not be called upon to
10 answer the charges at this time.

11 If at any time I say something you don't understand,
12 please interrupt me and say so; is that clear?

13 THE DEFENDANT (Through interpreter): Yes. Yes, I
14 understand.

15 THE COURT: Thank you.

16 As a first step in this hearing I'm going to tell you
17 about your constitutional rights.

18 You have the right under the Constitution of the United
19 States to remain silent. Any statement made by you may be
20 used against you in court. And you have the right not to
21 have your own words used against you.

22 You may consult with an attorney prior to any
23 questioning, and you may have the attorney present during
24 questioning. Counsel will be appointed without charge if
25 you cannot afford counsel.

1 If you choose to make a statement or to answer
2 questions without the assistance of counsel, you may stop
3 answering at any time. This right means you do not have to
4 answer any questions put to you but law enforcement agents
5 or by the Assistant United States Attorney, Mr. Kosto.

6 I want to make it clear that you're not prohibited from
7 making statements, but that if you do, they can be used
8 against you.

9 You're not required to make a statement at this initial
10 appearance, and any statement you do make may be used
11 against you.

12 Finally, if I ask you any questions here in this
13 hearing or at any future hearing which you think might
14 incriminate you, you have the right not to answer.

15 Do you understand everything I've --

16 (Interruption from a participant's computer.)

17 THE COURT: Do you understand everything I've said
18 about your right to remain silent?

19 THE DEFENDANT (Through interpreter): Yes, yes.

20 THE COURT: As I said earlier, you have the right
21 to retain counsel, to be represented by counsel, and to have
22 the assistance of counsel at every critical stage of these
23 proceedings.

24 You have the right to an attorney at this initial
25 appearance, during any questioning, at any lineup, and at

1 all proceedings in court.

2 You also have the right to have this Court assign
3 counsel if you cannot afford counsel or if you cannot obtain
4 counsel.

5 Can you afford a lawyer?

6 THE DEFENDANT (Through interpreter): Yes.

7 THE COURT: In the event at some later date you can
8 no longer afford a lawyer, I would provide you with a
9 financial affidavit. The information you put in the
10 financial affidavit regarding your financial resources would
11 assist me in determining whether or not you're eligible for
12 the appointment of counsel. I remind you the affidavit is
13 filed under the pains and penalties of perjury, which means
14 if the information you put in the affidavit is false, you
15 could be prosecuted for perjury and, if convicted, be
16 subject to a fine of up to \$250,000 and/or five years in
17 jail.

18 In addition, if there is a change in your financial
19 status after you have completed the affidavit, you have an
20 obligation to inform the court. That's only in the event if
21 you wish for an appointed attorney.

22 I'm going to ask you some questions now for the sole
23 purpose of bail. I will ask that you be sworn. None of
24 these questions are designed to incriminate you. If you do
25 not wish to answer, you do not have to, and you may confer

1 with your lawyer before answering each and every question.
2 But I do require that the questions are answered under oath.

3 Madam Clerk, will you please swear the defendant.

4 THE CLERK: Please raise your right hand.

5 **VLADISLAV KLYUSHIN, sworn.**

6 THE CLERK: Thank you.

7 THE COURT: Please state your name for the record.

8 THE DEFENDANT (Through interpreter): Vladislav
9 Klyushin.

10 THE COURT: And your address.

11 THE DEFENDANT (Through interpreter): My address in
12 Moscow?

13 THE COURT: Yes.

14 THE DEFENDANT (Through interpreter): Thirteen
15 Arbat, A-R-B-A-T, Street, Apartment 5, Moscow.

16 THE COURT: Mr. Kosto, were there Title IIIs here?

17 MR. KOSTO: No, your Honor.

18 THE COURT: Your telephone number?

19 THE DEFENDANT (Through interpreter): Plus seven,
20 (985) 410-1413.

21 THE COURT: And your age?

22 THE DEFENDANT (Through interpreter): Forty-one.

23 THE COURT: And the year you were born?

24 THE DEFENDANT (Through interpreter): 1980.

25 THE COURT: Where were you born?

1 THE DEFENDANT (Through interpreter): Moscow
2 region.

3 THE COURT: Where did you go to school, and how far
4 did you go in school?

5 THE DEFENDANT (Through interpreter): Should I tell
6 you about all of my education including higher education or
7 just school?

8 THE COURT: Higher education.

9 THE DEFENDANT (Through interpreter): I have two
10 higher educations. One, I am a lawyer, and I am a Ph.D. in
11 jurisprudence, criminal jurisprudence.

12 And the second degree is in municipal governance.

13 THE COURT: Are you married or single?

14 THE DEFENDANT (Through interpreter): Married.

15 THE COURT: Do you have any children?

16 THE DEFENDANT (Through interpreter): Yes. I have
17 five children.

18 THE COURT: All with the same mother?

19 THE DEFENDANT (Through interpreter): No, from two
20 mothers -- with two mothers.

21 THE COURT: How are you employed?

22 THE DEFENDANT (Through interpreter): I work at
23 several companies. But my major place of employment, I'm an
24 owner of a company, M13.

25 THE COURT: Do you have a passport?

1 THE DEFENDANT (Through interpreter): Of course.
2 Yes, I do. I have a Russian passport. But currently the
3 FBI or the jail personnel, they have my passport. But
4 normally, yes, I do have a passport.

5 THE COURT: Do you have any other passport?

6 THE DEFENDANT (Through interpreter): No.

7 THE COURT: Do you have any prior criminal record?

8 THE DEFENDANT (Through interpreter): No.

9 THE COURT: All right, Mr. Kosto, what's the
10 government looking for?

11 MR. KOSTO: Your Honor, in light of the
12 circumstances of Mr. Klyushin's extradition, the government
13 believes, for among other reasons, he poses a serious risk
14 of flight, and we will be seeking under 18 U.S.C.
15 Section 3142(f)(2)(A) a detention hearing, at which time we
16 will be asking the Court to order him detained pending trial
17 because no conditions or combination of conditions would
18 reasonably ensure his appearance at that trial.

19 THE COURT: All right.

20 And you have the right to a continuance, a statutory
21 right to continue.

22 MR. KOSTO: Yes.

23 I spoke before the hearing with Mr. Nemtsev. We talked
24 a little bit about a way forward here in light of the
25 holiday. What we were thinking was that the parties would

1 submit memoranda to the Court by the end of the day on
2 Wednesday and that on Thursday, if the Court's schedule
3 allowed, we would argue Mr. Klyushin's detention and proceed
4 by proffer based on any additional facts that needed to be
5 brought out.

6 But I have no visibility into the Court's schedule, so
7 I don't mean to suggest that that's what will happen.

8 THE COURT: Well, we were not planning to sit on
9 Thursday, so I will have the clerk get back to you.

10 MR. KOSTO: Thank you, your Honor.

11 THE COURT: I think we can perhaps make a
12 modification.

13 Now, Mr. Nemtsev, I note that you have filed a limited
14 appearance.

15 MR. NEMTSEV: I have, your Honor.

16 THE COURT: Can you tell me what that means?

17 MR. NEMTSEV: I filed an appearance to represent
18 him at the initial appearance as well as for purposes of
19 bail, but I have yet to actually meet Mr. Klyushin in person
20 and discuss my role going forward. And I expect to have a
21 decision on that within the next 30 to 60 days.

22 THE COURT: Well, I need it faster than that.

23 MR. NEMTSEV: Okay.

24 THE COURT: He needs to be arraigned, and in order
25 to be arraigned, he has to have counsel who is in it for the

1 long run.

2 MR. NEMTSEV: Understood, your Honor. I will have
3 the discussion with Mr. Klyushin today when I see him.

4 THE COURT: All right.

5 Lisa, what's available on Thursday?

6 And he has to be interviewed, and we need the
7 availability of the interpreter for that as well.

8 MR. NEMTSEV: I understand, your Honor.

9 I was proposing that we have an interview maybe
10 tomorrow morning, depending on an interpreter's schedule.
11 It could be done by Zoom.

12 THE COURT: Depending on Probation's schedule I
13 think is first.

14 MR. NEMTSEV: Them as well.

15 THE COURT: Ms. Marcy, what's the availability.

16 PROBATION OFFICER: Thank you, your Honor.

17 I would propose -- it would be probably too difficult
18 at this point to get it for tomorrow morning, but we can
19 maybe do it Wednesday morning and have a report prepared in
20 time for the hearing on Thursday.

21 THE COURT: All right.

22 Lisa, can we do it Thursday morning?

23 THE CLERK: We can do it Thursday morning. I would
24 just have to double check with Brendan to check with the
25 facility.

1 THE COURT: You know, everything depends on the
2 availability of a prison slot, and going into the holidays
3 it becomes quite difficult.

4 All right. Then we will move forward. Shall we pick a
5 time on Thursday tentatively.

6 THE CLERK: Eleven?

7 THE COURT: All right.

8 Does that work for counsel?

9 MR. KOSTO: It does, your Honor.

10 MR. NEMTSEV: It does, your Honor.

11 THE COURT: All right.

12 So at this time I would like to read into the record a
13 statement pursuant to the Due Process Protections Act.

14 "Pursuant to Due Process Protections Act, Public Law
15 116-182, 134 STA 894 (October 21, 2020) and Rule 5(f) of the
16 Federal Rules of Criminal Procedure, this court issues the
17 following order:

18 "The United States is reminded of its obligation to
19 disclose in a timely fashion all exculpatory evidence to the
20 defendant; that is, all evidence that is favorable to the
21 defendant or tends to cast doubt on the United States's
22 case, as required by *Brady v. Maryland*, 373 U.S. 83 (1963)
23 and its progeny.

24 "Specific categories of exculpatory evidence that must
25 be provided to the defense are set out in Local Rule 116.2.

1 "The failure to comply with this order may result in
2 consequences including, but not limited to, the reversal of
3 any conviction, the exclusion of evidence, adverse jury
4 instructions, dismissal of charges, contempt proceedings,
5 disciplinary action, and/or sanctions by the court."

6 A written form of this order will appear as a separate
7 and distinction docket entry in the record of this case.

8 Are there any other matters to bring before the Court?
9 Mr. Kosto?

10 MR. KOSTO: Your Honor, Mr. Nemtsev and I discussed
11 before the hearing whether the next proceeding will or will
12 not involve an identity hearing, and I believe that
13 Mr. Nemtsev is prepared to waive that on behalf of his
14 client. It will affect how we brief and move forward, I
15 think.

16 THE COURT: Mr. Nemtsev, for the record?

17 MR. NEMTSEV: We will waive the identity hearing,
18 your Honor.

19 THE COURT: All right.

20 MR. KOSTO: And then --

21 THE COURT: Go ahead, Mr. Kosto.

22 MR. KOSTO: I'm sorry, your Honor.

23 May I note briefly for the record that under
24 international law Mr. Klyushin was entitled to notification
25 of his ability to communicate with consular officers from

1 the Russian Federation, and the government did make a
2 Consular Notification to the Russian Federation's counsel in
3 New York City on Saturday morning, and that, Mr. Klyushin,
4 either through counsel or through his jailers can certainly
5 reach out to consular officials if he wishes to speak with
6 them.

7 THE COURT: That was going to be my next matter to
8 bring to your attention.

9 MR. KOSTO: I'm sorry, your Honor. I jumped the
10 gun.

11 THE COURT: That's all right.

12 All right. Anything else from the government?

13 MR. KOSTO: No, thank you, your Honor.

14 THE COURT: Mr. Nemtsev?

15 MR. NEMTSEV: No, thank you, your Honor.

16 THE COURT: All right. Hearing nothing else, we
17 stand in recess.

18 Stay well and stay safe.

19 MR. NEMTSEV: Thank you, your Honor.

20 MR. KOSTO: Thank you, your Honor.

21 MR. NEMTSEV: Lisa, would it be possible to
22 transfer me and Mr. Klyushin and, if it's possible, his wife
23 into a breakout room so we can discuss some bail issues?

24 THE COURT: Not his wife.

25 MR. NEMTSEV: Then just me and Mr. Klyushin?

1 THE DEFENDANT (Through interpreter): I understand.

2 THE INTERPRETER: Your Honor, is the interpreter
3 dismissed?

4 THE COURT: Unless Mr. Nemtsev needs you.

5 THE CLERK: No. He is all set.

6 Are you available on the 23rd at 11?

7 THE INTERPRETER: Unfortunately, no. I'm in the
8 Immigration Court on the 23rd.

9 Is it going to be via Zoom or in person?

10 THE CLERK: Zoom.

11 THE COURT: Zoom.

12 THE INTERPRETER: I am available -- let me double
13 check, just one second to check my schedule.

14 (Pause in proceedings.)

15 THE INTERPRETER: Well, I have a hearing at 8:30,
16 and I don't know how long it's going to last, in Buffalo.

17 I am definitely available in the afternoon after 1:00,
18 but 11 I'm not sure.

19 THE CLERK: Okay.

20 Tricia, do you want me to forward his email to you?

21 PROBATION OFFICER: Yes.

22 THE CLERK: So I'm also going to forward your
23 contact information to Tricia from Probation. She might
24 need you for the interview.

25 THE INTERPRETER: Okay.

1 THE CLERK: Okay. Thank you so much.

2 THE INTERPRETER: Thank you very much.

3 THE COURT: Okay.

4 (Proceedings adjourned.)

5
6
7 **C E R T I F I C A T E**

8
9 I, James P. Gibbons, Official Court Reporter for the
10 United States District Court for the District of
11 Massachusetts, do hereby certify that the foregoing pages
12 are a true and accurate transcription of my shorthand notes
13 taken in the aforementioned matter to the best of my skill
14 and ability.

15 /s/James P. Gibbons
16 James P. Gibbons

August 31, 2022

17
18
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